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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,056	07/14/2003	Peter Dickey	249212022400	7667
25226	7590	08/20/2004	EXAMINER	
MORRISON & FOERSTER LLP 755 PAGE MILL RD PALO ALTO, CA 94304-1018			CRAWFORD, GENE O	
			ART UNIT	PAPER NUMBER
			3651	

DATE MAILED: 08/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/620,056	Applicant(s) DICKET ET AL.	
	Examiner Gene O. Crawford	Art Unit 3651	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☒ Claim(s) 31 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/15/2003</u> . | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Hanaoka et al.

With regard to claims 1-12 and 24-30, the storage library and method of including media drives in a storage library disclosed by Hanaoka et al. includes all the claimed features and in particular includes: **(claims 1, 24)** a media drive module 12a, 12b, 12c, 12d having a frame 12 configured to support a media drive 540, a power supply, and interface electronics (column 27, line 27 thru column 28, line 25); a library housing 2 having storage bins 15, 175, a mechanism 14 transferring storage devices; and openings for receiving media drive modules 12a, 12b, 12c, 12d (figure 8); **(claims 2-5, 25-27)** the frame 12 including one or more slots for receiving at least four media drives 540 (figure 8); **(claim 6)** the media drive 540 being operable to receive and release a storage device; **(claims 7, 28)** the storage device including a magnetic tape cartridge 588; **(claims 8, 9)** the media drive 540 including a magnetic tape drive including power supplies to support four drives; **(claims 10, 11)** the drive modules including interface communications for communicating with a library controller (column 27, line 27 thru column 28, line 25); **(claims 12, 29)** the library housing including an open architecture

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for receiving the drive module 12 (figure 8); and **(claim 30)** the frame being removable from the storage library housing (figure 8).

With regard to claims 13-23, the modular device disclosed by Hanaoka et al. includes all the claimed features and in particular includes: **(claims 13-15)** a frame 12 configured to including one or more media drives 540, a power supply, and interface communications (column 27, line 27 thru column 28, line 25); the frame 12 including at least one slot for receiving the one or more media drives 540; the frame adapted for modular insertion within the storage library 2 (figure 8); **(claims 16-18)** the frame configured to include at least four media drives 540; (claim 19) the media drive 540 being operable to receive and release a storage device; **(claim 20)** the storage device including a magnetic tape cartridge 588; **(claims 21, 22)** the media drive 540 including a magnetic tape drive including power supplies to support four drives; and **(claims 23)** the drive modules including interface communications for communicating with a library controller (column 27, line 27 thru column 28, line 25).

### ***Allowable Subject Matter***

3. Claim 31 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: a method for including media drives in a storage library including the unique step of 'testing the operation of at least one of the media drives, the power supply, and

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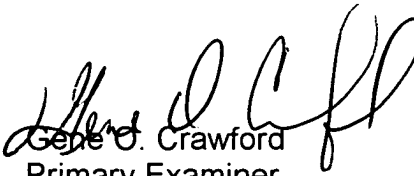
the interface communication electronics before modularly adding the frame to the storage library housing' in combination with the rest of the claim language is not taught or fairly suggested by the prior art.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following are cited to show the art with respect to modular media drives for data storage libraries: Kusunoki, Kappel et al., Bosley et al., and Campbell et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gene O. Crawford whose telephone number is 703/305-9733. The examiner can normally be reached on Monday thru Thursday.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Gene O. Crawford  
Primary Examiner  
Art Unit 3651

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